

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14361, of John Carleton, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 3104.47 permitting an adult rehabilitation home in an R-4 District; a variance from the provisions of Paragraph 3104.47 prohibiting more than fifteen residents in an adult rehabilitation home; and a special exception from Sub-paragraph 3104.475 permitting more than one community based residential facility within a radius of 500 feet from another community based residential facility (namely, 306 Florida Avenue, N.W.). The applicant proposes to establish an adult rehabilitation center for thirty residents in an R-4 District at premises 414 R Street, N.W., (Square 509E, Lot 81).

HEARING DATE: October 23, 1985
DECISION DATE: December 4, 1985

FINDINGS OF FACT:

1. The subject site is located at the southeast corner of the intersection of New Jersey Avenue and R Street and is known as premises 414 R Street, N.W. The site is located in an R-4 District.

2. The subject site has a frontage of 96.67 feet on R Street, an 11.01 depth on a ten foot public alley to the east and a depth of 26.90 feet on New Jersey Avenue to the west. The site is improved with a semi-detached structure of three stories and a basement. The structure covers 100 percent of the lot on which it is located.

3. Human Development Systems, Inc. (HDS), the lessee herein, proposes to use the subject structure as an adult rehabilitation home for thirty residents.

4. As a preliminary matter at the public hearing, the opposition challenged the sufficiency of the notice that was given to the public. The opposition asserted that the site has two frontages, New Jersey Avenue and R Street and that the property was posted as required under the Rules for at least fifteen days prior to the public hearing for the R Street frontage only. The New Jersey Avenue frontage was posted about seven days. Also the poster evidenced that the proposed use was for an adult home for fifteen residents which gave the public the incorrect number of residents and that the proposed use was a rehabilitation home for felony

offenders or persons under pre-trial detention or sentenced court orders. Lastly, the opposition asserted that not all of the property owners within 200 feet of the site had received actual notice.

5. The applicant testified that both the public notice signs had been posted within the required fifteen days but that they had been torn down and subsequently reposted. The Board noted the large number of persons in opposition present at the public hearing including the ANC and several representatives of community groups. The Board further noted the presence of persons in opposition who had not received actual notice of the public hearing. The Board determined that the wording on the public notice sign was adequate notice of the subject matter of the public hearing. The Board determined to leave the record open at the close of the public hearing, that all the property owners within 200 feet would be renotified and time allowed for them to submit their comments. In view of all this, the Board determined to hear the application on its merits this hearing date and not continue the hearing.

6. The subject structure is currently vacant. The most recent use of the structure according to Certificates of Occupancy B91410 and B112374 was a social service center for 15 emotionally disturbed individuals. A social service center is an older use classification which predated the 1981 community based residential facility amendments to the Zoning Regulations. As defined, a social service center consisted of a treatment center for persons in need of such assistance. Permissible space allocation within such a facility included sleeping and dining quarters; meeting and classrooms; and recreation, counseling and office space related to the program.

7. The surrounding area to the north, south, east and west is characterized by residential row dwellings. A number of these dwellings are vacant and boarded. Approximately one block north of the site is a C-2-A commercial corridor running parallel to both Rhode Island Avenue and Florida Avenue, N.W. In the vicinity of the subject site, these two commercial corridors consist of a mix of residential and low intensity, commercial uses. Included in the Florida Avenue C-2-A District and within 500 feet of the subject site is a community based residential facility (CBRF). This facility located at 306 Florida Avenue, N.W. is a community residence facility (CRF) for five elderly or mentally retarded individuals.

8. HDS is a nonprofit social service agency and its main focus is service delivery to the ex-offender, substance abuser and youth. HDS is currently under contract with the D.C. Department of Corrections to provide adult rehabilita-

tion services to ex-offenders in a pre-parole status. Under its proposed program HDS will be responsible for insuring the control and accountability of residents and providing or making arrangements for custody, subsistence, medical care, education and training opportunities to those persons in the pre-release community correctional center. The center proposes to provide flexibility and programs which can be geared to the specific needs of each individual and resident, assistance in finding employment, placement in housing, accrument of resources on his own and development of self-confidence. Integration of transition of residents into productive community living will be the main thrust of the center. The transitional period of the residents in the center is intended to be cost beneficial to the taxpayer in that the resident is not a total burden to the government. The resident should become a wage earner and taxpayer and defray some of his support costs.

9. HDS argued that the District of Columbia Government is studying alternative forms of punishment for nonviolent offenders other than incarceration that will deter criminal behavior and reduce the chance that an inmate will return to criminal activity without placing an unnecessary burden on the taxpayer. Programs involving restitution, community service, half-way houses and therapy have been successful in all parts of the country. Studies have reportedly documented that increased rates of imprisonment do not lead to decreased rates of crime. The National Center on Institutions and Alternatives reports follow-up studies of sampled 1,000 offenders in alternative programs. Only 15 percent have been re-arrested. Halfway houses, as transitional residences for parolees, are not a new phenomena and are the result of increased insistence by parolling authorities that offenders must have jobs before release.

10. HDS will have eleven employees namely a Director, four caseworkers, a vocational counselor, several charge corps people, a cook and a secretary.

11. The residents will rise at 7:00 A.M. They will leave the site at 8:00 A.M. Those who are not employed will be given designation sheets which are to be signed off. They are due to return to the facility at 2:00 P.M. At 6:00 P.M. they may leave the facility but must return at 10:00 P.M. For those residents who are employed they report back after work. After dinner they are free to leave the facility but must report back by 12:00 A.M. The residents will be eighteen years or over.

12. Between the hours of 2:00 P.M. and 6:00 P.M. the residents will be involved in individual and group counselling sessions with a caseworker as well as vocational job training with a vocational counselor.

13. If a resident fails to return on time he is reported as in violation of curfew and is reported to the U.S. Marshall Service. There are hourly bed checks. The staff members are on-site at all times.

14. Of the three entrances to the site one will be for the residents only. A charge-of-quarters sits at a desk at that entrance and signs residents in-and-out.

15. The Department of Corrections does a physical prior to release including urine and blood testing. It will be a matter of record whether the potential resident has drugs in his system and has a habit. The facility will deal with previous drug problems. It will not accept a resident with a current problem. The records of the potential residents are reviewed by HDS prior to admission to the program. The HDS takes urine specimens twice a week and submits them to the Department of Corrections for evaluation. After three positive tests the resident would be removed from the facility. In the interim he is counseled.

16. HDS would be required to submit monthly reports to the Department of Corrections on its program. It will also report daily as to whether all residents are present and accounted for. HDS, as a contractor, would be required to do weekly visits, home visits, etc. and in the event of a resident in violation submit a written report to the Department of Corrections for review. The District of Columbia can reinstate a resident or refer the matter to the Parole Board. The District of Columbia makes site visits. Monthly meetings are held with all contractors.

17. In its program for community involvement HDS submitted to the record the statement that the four areas listed below will involve appointed members of the community as they pertain to the program at the subject Crosswinds House. Community members will be appointed to provide for better security measures inside the program. Any member of the community is invited to participate in planned activities outside of the program facility or volunteer to perform services:

- a. Screening Process: An appointed representative of the community will assist staff in screening new referrals. No referrals with a history of violent behavior or current substance (including PCP use) will be allowed in the program.
- b. Block Association: HDS will develop a separate independent Block Association

to perform certain community activities such as car washes, bake sales, and rummage sales to earn money for community activities. Residents and neighbors can participate in the activities. The Block Association will keep an active record of the facility's outside condition as far as appearance is concerned as well as activities around the facility. The Association can also recommend community service tasks for the residents such as alley clean-ups, yard and street clean-ups, furniture moving and house painting for the elderly.

- c. Community Advisory Board: This Board will serve as a channel for information about the center and give the neighbors a degree of influence about its operation. Neighborhood complaints will go through this board and be presented to the administration of HDS where they can expect immediate action on any problem and a written answer. Recommendations and ideas will be entertained.
- d. ANC Participation: HDS will participate in all ANC meetings and work in every way to enhance the productivity of this community. Special emphasis can be given in the area of expertise (substance abuse, ex-offenders, youth).

18. As to parking HDS will apply for a parking permit on the public space provided in front of the 414 R Street, N.W. facility. HDS asserted that directly across the Street from the 414 R Street, N.W., facility on the north side from the alley to New Jersey Avenue is open space (no houses in front) which will allow for five parking space 24 hours a day. Directly in front of the building on the south side is space for five cars between the hours of 9:30 A.M. and 4:00 P.M. HDS will make special effort not to park in front of any neighbor's home. Currently, only three of the proposed five staff working during the day drive to work.

19. As to trash, it will be stored in large trash barrels in a small room on the first floor which will be designated as the "Trash Room". The room will contain four large barrel type trash containers with secure lids. Since HDS would be under contract with the D.C. Government it is eligible for government trash pick-up on a daily basis. Residents will bring out trash on a timely basis so as not to have the trash barrels sitting outside for any length of

time. The same care and maintenance will be accomplished under a private trash contractor if for some reason the District will not make daily pick-ups.

20. The D.C. Department of Corrections sought to place 30 persons and inquired if HDS could accommodate them. In the opinion of HDS, the subject site would be appropriate because of its size. If the number of residents were reduced the contract would have to be renegotiated. The program would remain the same. The staffing patterns and budget would change.

21. The Office of Planning (OP) by report dated October 16, 1985, recommended conditional approval of the application. The OP reported three major issues in the application, namely (a) Whether the subject location constitutes a suitable site for an adult rehabilitation home given the close proximity of a second community based residential facility (cumulative impacts issue); (b) whether the site is suitable for a facility of the size proposed (30 residents) and; (c) whether the proposed facility in and of itself can operate without imposing adverse impacts e.g. noise, traffic, etc. upon the surrounding neighborhood.

22. The Office of Planning reported that the issue of cumulative impacts results from the presence of a second community based residential facility within 500 feet of the proposed adult rehabilitation center. Said CBRF is located at 306 Florida Venue, N.W. which is approximately 200 feet as measured along a straight line from property line to property line or three and one half blocks as measured in terms of walking or driving distance. This second CBRF is by definition a community residential facility (CRF) serving elderly and/or mentally retarded individuals. The facility is licensed to house a maximum of five individuals. The OP was of the opinion that the distance between the two facilities, the small size of the CRF, and the different populations served by the existing Florida Avenue facility and the proposed facility render it possible for the two facilities to co-exist without imposing an undue burden upon the surrounding neighborhood. Further, approval of a second facility is consistent with the general purpose and intent of the regulations. The cumulative impact requirement of Sub-paragraph 3104.47 is not designed to preclude location of more than one facility within 500 feet of another. Rather the intent of the provision is to allow more than one facility provided there are no cumulative adverse effects upon the neighborhood. The OP saw no cumulative adverse effects.

The second major issue concerned the number of proposed residents. Paragraph 3104.47 permits a maximum of 15 residents, yet the applicant seeks permission for a 30

resident facility. In order to secure approval for this number, the applicant must demonstrate the existence of hardship resulting from some unique or exceptional condition of the property. The OP opined that the requisite hardship existed by virtue of the size of the subject structure. The OP estimated the structure's gross floor area to be in excess of 5,000 square feet which is considerably larger than other residential row dwellings in the neighborhood. Given the overall size of the structure and the existence of 24 bedrooms within the structure, the OP was of the opinion that it would be impractical to limit the use of the structure to a resident population of fifteen.

23. The OP further reported that the types of adverse impacts likely to result from a facility of this type generally fall into two categories: operational and traffic impacts. Operational impacts include noise, residents loitering about the exterior perimeter of the building, improper trash collection and management, etc. The Office of Planning was of the opinion that the rigid programmatic characteristics associated with a facility of this type and the proposed operator's reputation as an efficient and effective manager are sufficient to dissipate any concerns OP might have as to operational impacts. Specifically, the applicant has described the programmatic requirements and restraints placed upon residents and these are such as to discourage if not preclude noise and/or loitering in and about the neighborhood. On the other hand, transportation impacts are an area of concern to OP especially the issue of parking. Sub-section 7202.1 of the regulations provides for BZA determination of the number of parking spaces required for a community based residential facility with 16 or more residents. By way of a benchmark, OP noted a CBRF with 9 to 15 residents must provide two on-site parking spaces. An extrapolation based on this requirement suggests four on-site parking spaces is a reasonable requirement for a 30 resident facility. The OP noted that it was virtually impossible for the applicant to provide any on-site parking short of utilizing public space. The subject structure essentially occupies 100 percent of the site, and the only area available for vehicular parking is the public space adjacent to the structure's north wall. The applicant is under the misconception that this area can be freely used to accommodate four vehicles, but OP noted use of this space is possible only if approved by the Department of Public Work's Public Space Committee. The Office of Planning advised the imposition of two conditions. The facility should be limited to a resident population of not more than 30; the approval should be limited to the subject applicant, HDS and should be valid for a period of three years. This latter condition permits continuing Board control over a sensitive use and provides for neighborhood input on an ongoing basis. The Board for reasons, discussed below, does not concur with the recommendation of the OP.

24. The Department of Public Works (DPW) by memorandum dated November 1, 1985, reported that a primary issue in the location of the subject facility is the provision of adequate off-street parking. Section 3104.472 of the D.C. Zoning Regulations requires "adequate, appropriately located and screened off-street parking to provide for the needs of occupants, employees and visitors to the facility". The existing structure occupies 100 percent of the lot area which leaves no room for on-site parking.

25. The DPW reported further that the site is located in an area that has an available supply to the free on-street parking spaces and where transit service to the site is convenient. The DPW noted that the staff that would work at the facility would be present on a 24 hour basis and that no more than five or six staff members would be present at one time. Also, the residents of the facility will not have access to vehicles. Therefore the DPW did not expect a high demand for parking or traffic by the users of the facility. The DPW did not have any estimate as to the number of visitors that would frequent the facility. The applicant has stated that "guests will be limited". Because the site will operate as a public facility which can be expected to have foods delivery and social service needs in excess of what is normally the case in a residential neighborhood, it is advisable that some off-street parking be provided so as not to adversely impact the neighborhood.

26. It was DPW's understanding that the applicant planned to provide parking within the available public space adjacent to the site off R Street, N.W. The applicant would be required to obtain the necessary public space permit in order to provide parking within the public space. However, the DPW was unable to determine the likelihood of approval of the permit, since it was the public space committee that would make the necessary decisions within its guidelines. The access, design and location of the parking should be coordinated with the Department of Public Works. The parking area should also be well screened and landscaped by the applicant. The Board for reasons discussed below does not concur with the DPW that the subject site has an available supply of on-street parking.

27. The Metropolitan Police Department in memorandum dated November 13, 1985, reported that no police operations are currently proposed for the subject area, thus, while establishment of the facility would not impact adversely upon any current or planned operations by the First District or the Department, it may entail an increase in police monitoring activities so as to minimize any possible increases in the level and type of criminal activities. The Metropolitan Police Department is in agreement with the concept of Community Based Residential Facilities as a viable means of alleviation our bulging institutions. These

halfway houses, in effect, perform two functions: they reintroduce felons to society and act as a safety value to relieve overcrowding in the city's corrections systems. However, their review of the proposed location and surrounding area with respect to the level of calls for service would indicate that the application should be carefully scrutinized in terms of its impact upon the tranquility of the existing area. Overall, the proposed facility is not expected to generate any substantial increases in the need for police services but the department is adequately prepared to provide the level of protection necessary in order to offer continued public safety to the property and residents of the community. The Board concurs with the observations of the Police Department and notes the Department's intention to provide the level of protection required.

28. Advisory Neighborhood Commission 5C in which commission the subject site is located, by letter dated October 14, 1985, and at the public hearing recommended that the application be denied. The ANC reported that in all zoning matters, the primary consideration must be whether the health, safety, and general welfare of the community would be protected or promoted given the circumstances of a particular case. The application should be denied because certain objectionable circumstances cannot be cured by the imposition of conditions upon the applicant. The proposed site has virtually no yard space and certainly not enough for off-street parking. With no off-street parking available, traffic problems will be exacerbated. Due to minimal rear yard space, it is difficult to see how applicant will dispose of large volume of trash without either stacking it up against the building or storing it in the basement. In either case, rodent problems are likely to worsen. The operation of the facility itself, directly across from Warner Street, N.W., a drug infested area, does not positively impact the area.

29. The ANC further reported that the cumulative effect of this and other facilities within 500 feet and the same general area would almost certainly cripple efforts to upgrade this community. In their opinion it is only natural that the introduction into a neighborhood of individuals charged with felonies or under "pre-trial detention or sentenced court orders" would arouse apprehension among residents. Prospective purchasers of homes in the neighborhood might be discouraged. Property values, and consequently tax revenues would likely diminish.

30. The ANC further reported that the application should also be denied since the requirements to grant a use variance have not been met. An applicant for a variance must demonstrate that the "exceptional and undue hardship,"

in complying with the regulations use cannot be made of the property in a manner consistent with the Zoning Regulations and the owner is deprived of all beneficial use of his property. Where an owner can derive a reasonable return from his property as presently zoned, he is not entitled to a variance. The Board should not be in the business of granting a variance to assure the economic viability of the use of a particular property in a particular manner.

31. Advisory Neighborhood Commission 2C, an adjacent ANC, by letter dated October 22, 1985, advised that the subject application impacts on ANC 2C in that the subject building site is on the border between ANC 5C and ANC 2C. It supported ANC 5C's reasoning for its opposition to the application.

32. Advisory Neighborhood Commission 1B and the LeDroit Park Civic Association jointly by letters dated October 22, 1985 and November 27, 1985, opposed the application. Both organizations are adjacent to where the proposed use would be located. They opposed the application on the grounds recited above. In addition, they argued that the proposed siting for the proposed use is contrary to the District's comprehensive plan which has designated the area in need of neighborhood stability and revitalization which the proposed use will not offer.

33. The D.C. Federation of Civic Association, Inc., the Bates Area Community Development Committee, Inc., the Shaw Project Area Committee, the Center City Community Corporation Housing Committee and property owners of the immediate area also testified in opposition to the application. Petitions were also submitted in favor and in opposition to the application. The opposition was based on the same grounds as discussed above.

34. The Board is required by statute to give "great weight" to the issues and concerns to the ANC in which the subject site is located when such are reduced to writing and result in a recommendation. The Board concurs with many of the issues and concerns of the ANC and other opposition which it will address below. However, the Board would be remiss if it did not address certain expressed reasoning of the opposition that is in error. The errors are as follows:

- A. The reference to the Comprehensive Plan by the Advisory Neighborhood Commission is to the Land Use Element. At the time this application was heard and decided, the Land Use Element had been heard and decided. The Land Use Element had been passed by the Council of the District of Columbia but had not become law. Consequently, the provisions of that element were not in effect. Even if

the law had become effective, the provisions of the element are not self-executing. The Comprehensive Plan Act of 1984 (Section 102) provides in part that "the District elements of the Plan are a guide intended to establish broad policies and goals while affording flexibility for future implementation and are not binding policy directives." The Land Use Element does not automatically change the Zoning Regulations. The Zoning Act as amended by the Home Rule Act requires that the Zoning Regulations "not be inconsistent with the comprehensive plan." It is the responsibility of the Zoning Commission to accomplish that task. The Board is limited to following the Zoning Regulations as they exist, and unless and until the Zoning Commission amends the Regulations to require the Board to determine whether an application is consistent with the Comprehensive Plan, that determination is beyond the scope of the Board's consideration.

- B. The proposed use is deemed a compatible use in an R-4 District. The applicant seeks its relief through a special exception and not a use variance. The applicant has no burden to prove that the property can't be reasonably used for a purpose for which it is zoned. Hence the test is not the uniqueness of the site nor a hardship on the owner. The use variance sought herein pertains only to the number of residents to be accommodated at the facility and not to the site location of the proposed use.
- C. It was argued that the cumulative effect of the subject facility and other facilities within 500 feet and the same general area would almost certainly cripple efforts to upgrade this community in that it was only natural that the introduction into a neighborhood of individuals charged with felonies or under "pre-trial detention or sentenced court orders" would arouse apprehension among residents; that prospective purchasers of homes in the neighborhood might be discouraged and that property values, and consequently tax revenues would likely diminish. The Board finds that there is no probative evidence in the record to substantiate these allegations. No expert testimony was given. No

professional surveys were made. The Board finds that such allegations are speculative.

CONCLUSIONS OF LAW AND OPINION:

Based on the record, the Board concludes that the applicant is seeking two special exceptions and a variance from the use provisions. The special exceptions are to permit the adult rehabilitation home and to permit more than one community based residential facility within a radius of 500 feet from another community based residential facility. Both require a showing through substantial evidence that the applicant has complied with the requirements of Paragraph 3104.47 and that the relief requested under Sub-section 8207.2 can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property.

The granting of the use variance which pertains to the number of residents located on-site requires a showing through substantial evidence of a hardship that precludes a reasonable use of property through setting a limitation on the number of residents to occupy the site.

Paragraph 3104.47 of the Zoning Regulations provides that the proposed use can be granted by the BZA under the following provisions:

Youth rehabilitation home, adult rehabilitation home, or substance abusers home for one to fifteen persons, not including resident supervisors and their family, provided that:

3104.472 - There will be adequate, appropriately located and screened off-street parking to provide for the needs of occupants, employees and visitors to the facility.

3104.473 - The proposed facility shall meet all applicable code and licensing requirements.

3104.474 - The facility will not have an adverse impact on the neighborhood because of traffic, noise, operations or the number of similar facilities in the area.

3104.475 - The Board may approve more than one community based residential facility in a square or within 500 feet only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise or operations. The Board shall not approve more

than one youth rehabilitation home, adult rehabilitation home or substance abusers home in a square or within 500 feet of each other.

The Board concludes that the applicant has failed to meet his burden of proof as to Sub-paragraph 3104.472 in that he has failed to establish that there will be adequate, appropriately located and screened off-street parking to provide for the needs of the occupants, employees and visitors to the facility. Four on-site parking spaces are required for a 30 resident facility. The structure occupies essentially 100 percent of the site. No on-site parking can be provided. The applicant proposed to provide parking within public space adjacent to the structure's north wall. The applicant was under the misconception that this area could be freely used but use of this space is possible only if approved by the Public Space Committee of the Department of Public Works. The applicant also proposed to use on-street parking directly across from the structure. The opposition submitted pictures to the record evidencing that these spaces were not available since they were occupied by residents of the neighborhood. The testimony of the opposition confirmed the unavailability of these spaces for the applicant's use. The Board is persuaded from the observation and daily experience of the opposition on this issue the report of the DPW notwithstanding. The Board also notes that since the structure will operate as a public facility it can be expected to have food and service needs in excess of what is normally the case in a residential neighborhood. No off-street parking is provided for these services.

The Board further concludes that the community involvement and external security plans submitted by the applicant are not persuasive. It is an administrative program that is overgeneralized and lacking in specificity and concern for the community. The Board concludes that the applicant's program for implementation shows a lack of professionalism. The applicant's submissions are not responsive to the concerns of the neighborhood and as proposed would result in adverse affects on neighboring property. The operations of the facility does not meet the requirements of Sub-paragraph 3104.474.

The Board further concludes that in addition to the failure to provide off-street parking facilities, the applicant has also failed to meet its burden of proof under Paragraph 3104.474 which requires that the facility will not have an adverse impact on the neighborhood because of operation's programs.

The Board concludes that the failure of the applicant to meet its burden of proof on the two above-mentioned Sub-paragraphs of the Zoning Regulations is dispositive of the application. The Board need not draw any conclusions as to the special exception permitting more than one community

based residential facility within a radius of 500 feet from another community based residential facility or on the use variance pertaining to the number of persons residing on-site. The Board further concludes that it has granted Advisory Neighborhood Commission (ANC) 5C the "great weight" to which it is entitled. Accordingly, it is ORDERED that the application is DENIED.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Patricia N. Mathews and Carrie L. Thornhill to deny; Douglas J. Patton not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: SEP 12 1986

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

14361order/LJPP